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FILED

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CLERK, U.S. DISTRICT COURT SOUTHERN DISTRICT OF CALIFORNIA

BY: [signature] DEPUTY

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA

**UNITED STATES OF AMERICA,**

Plaintiff,

v.

**Alfonso SEGURA-Figueroa,**

Defendant

Magistrate Docket No. '07 MJ 2612

COMPLAINT FOR VIOLATION OF:

Title 8, U.S.C., Section 1326
Deported Alien Found in the United States

The undersigned complainant, being duly sworn, states:

On or about **November 6, 2007** within the Southern District of California, defendant, **Alfonso SEGURA-Figueroa,** an alien, who previously had been excluded, deported and removed from the United States to **Mexico**, was found in the United States, without the Attorney General or his designated successor, the Secretary of the Department of Homeland Security (Title 6, United States Code, Sections 202(3) and (4), and 557), having expressly consented to the defendant's reapplication for admission into the United States; in violation of Title 8 United States Code, Section 1326.

And the complainant further states that this complaint is based on the attached statement of facts, which is incorporated herein by reference.

[signature]

SIGNATURE OF COMPLAINANT
James Trombley
Senior Patrol Agent

SWORN TO BEFORE ME AND SUBSCRIBED IN MY PRESENCE, THIS **7th** DAY OF **NOVEMBER, 2007**

[signature]

Cathy A. Bencivengo
UNITED STATES MAGISTRATE JUDGE

**CONTINUATION OF COMPLAINT:**
**Alfonso SEGURA-Figueroa**

## PROBABLE CAUSE STATEMENT

On November 6, 2007, Border Patrol Agent G. Rivera was working near Del Rio Ranch in Campo, California. This area is approximately eighteen miles east of the Tecate, California Port of Entry and one mile north of the United States/Mexico International Boundary. Agent Rivera found footprints leading into the brush. Agent Rivera followed the footprints and encountered a total of nine individuals attempting to conceal themselves in the surrounding brush. One of the individuals was later identified as the defendant **Alfonso SEGURA-Figueroa**. Agent Rivera identified himself as a Border Patrol Agent and questioned all the nine individuals as to their citizenship and nationality. Everyone, including the defendant admitted to having entered the United States without any immigration documents that would allow them to be or remain in the United States legally. All nine admitted to being citizens and nationals of Mexico. At approximately 1:40 a.m., all nine were arrested and transported to the Campo Border Patrol Station for processing.

Routine record checks of the defendant revealed a criminal and immigration history. The defendant's record was determined by a comparison of his criminal record and the defendant's current fingerprint card. Official immigration records of the Department of Homeland Security revealed the defendant was previously deported to **Mexico** on **July 8, 2007** through **San Ysidro, California.** These same records show that the defendant has not applied for permission from the Attorney General of the United States or his designated successor, the Secretary of the Department of Homeland Security, to return to the United States after being removed.

The defendant was advised of his Miranda Rights, which he stated he understood and was willing to answer questions without having an attorney present. The defendant again admitted to being a citizen and national of Mexico and having entered illegally through an unfenced portion on the United States/Mexico boundary.